

**UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF PENNSYLVANIA**

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MICHAEL GIANGRIECO,	:	CIVIL ACTION—LAW
	:	
Plaintiff,	:	
	:	
v.	:	No. 3:20-cv-817
	:	
SUSQUEHANNA COUNTY;	:	JURY TRIAL DEMANDED
ELIZABETH ARNOLD; and	:	
JUDITH HERSCHEL;	:	
	:	
Defendants .	:	

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**DEFENDANTS, COMMISSIONER ELIZABETH ARNOLD AND  
COMMISSIONER JUDITH HERSCHEL’S MOTION FOR LEAVE TO  
EXCEED PAGE LIMITATION**

Comes now, Defendants, Commissioner Elizabeth Arnold and Commissioner Herschel, (“Commissioner Defendants”), by and through their attorneys, MacMain, Connell & Leinhauser, LLC, and hereby moves this Court to grant leave to file a Motion to Dismiss in excess of the page limitations set forth by Local Rule 7.8, and states as follows:

**BACKGROUND**

1. On May 19, 2020, Plaintiff filed a Complaint alleging violations of the First Amendment, Pennsylvania Whistleblower Law, Fourteenth Amendment Equal Protection Clause, Wrongful Termination, and a 1983 conspiracy claim.

(ECF Doc. 1)

2. Defendants Response is due on or before August 3, 2020.

## **REASONS FOR GRANTING LEAVE**

4. Good cause exists for extending the page limitation.
5. Plaintiff's Complaint alleges five (5) claims against each of the Commissioner Defendants based on different factual allegations contained in the Complaint.
6. Pursuant to Fed. R. Civ. P. 12(b)(6), Defendants will move to dismiss Plaintiff's claims on the basis that all of the claims contained in the Complaint fail to state a claim for which relief can be granted.
7. Commissioner Defendants have an interest in challenging every cause of action alleged, and as a result, numerous responses exist in connection to the allegations contained in Plaintiff's Complaint.
8. Due to the number of issues to be addressed, Defendants respectfully submit that a brief in excess of fifteen (15) pages and 5,000 words, but not in excess of twenty-five (25) pages, is necessary to fully set out the basis for their argument in a motion to dismiss.
9. Plaintiff's counsel has been contacted regarding this request and has no objection to Commissioner Defendants' filing a brief in excess of fifteen (15) pages.

## **CONCLUSION**

Therefore, Commissioner Defendants respectfully request this Court grant them leave to exceed the page limitations for Commissioner Defendants' Brief in Support their Motion to Dismiss.

Respectfully Submitted,

**MacMAIN, CONNELL &  
LEINHAUSER, LLC**

**Dated: July 31, 2020**

**By: /s/ Matthew Connell**  
**Matthew J. Connell, Esquire**  
**Attorney I.D. No. 80246**  
**433 West Market Street, Suite 200**  
**West Chester, Pennsylvania 19382**  
***Attorney for Defendants,***  
***Commissioner Elizabeth Arnold and***  
***Commissioner Judith Herschel***

**CERTIFICATE OF CONCURRENCE**

I, Matthew J. Connell, Esquire, hereby certify that I contacted counsel for Plaintiff and Co-Defendant, who did not object to the foregoing Motion For Leave to Exceed Page Limitation.

**MacMAIN, CONNELL &  
LEINHAUSER, LLC**

**Dated: July 31, 2020**

**By: /s/ Matthew Connell**  
**Matthew J. Connell, Esquire**  
**Attorney I.D. No. 80246**  
**433 West Market Street, Suite 200**  
**West Chester, Pennsylvania 19382**  
***Attorney for Defendants,***  
***Commissioner Elizabeth Arnold and***  
***Commissioner Judith Herschel***

## **CERTIFICATE OF SERVICE**

I, Matthew J. Connell, Esquire, hereby certify that on this 31<sup>st</sup> day of July 2020, the foregoing *Motion For Leave to Exceed Page Limitation* was filed electronically and is available for viewing and downloading from the ECF system of the United States District Court of the Middle District of Pennsylvania. The following parties were served via ECF:

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*Attorney for Plaintiff*

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**MacMAIN, CONNELL &  
LEINHAUSER, LLC**

**By: /s/ Matthew Connell**  
**Matthew J. Connell, Esquire**  
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***Commissioner Judith Herschel***